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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/059,946	01/29/2002	Mehrdad Nadooshan	501019-A-01-US (Nadooshan)	7166
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Ryan, Mason & Lewis, LLP Suite 205 1300 Post Road Fairfield, CT 06430				
EXAMINER NOBAHAR, ABDULHAKIM				
ART UNIT		PAPER NUMBER		
2132				

DATE MAILED: 10/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/059,946

Applicant(s)

NADOOSHAN ET AL.

Examiner

Abdulkhkim Nobahar

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6, 9-15 and 19-25 is/are rejected.
- 7) ☒ Claim(s) 4, 5, 7, 8 and 16-18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. ____   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____  | 6) <input type="checkbox"/> Other: ____                                     |

### ***Double Patenting***

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 1, 13 and 22-25 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 6 of U.S. Patent No. 6,708,893 B2. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims of the application are a broader recitation of the patented claims. The claims in the examined application do not expressly specify the deployment of a smart card having a processor for processing data. Moreover, the claims in the examined application do not expressly specify that a verification algorithm is partially included in the smart card memory for providing in each instance a plurality of types of cryptographic security for the data. The claims in the examined application are further rejected over the prior art as cited below.

***Claim Rejections - 35 USC § 102***

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1-3, 6, 9-15 and 19-25 are rejected under 35 U.S.C. 102(b) as being anticipated by "Windows NT Server 4 Security Handbook" by Lee Hadfield, Dave Hatter, Dave Bixler, 1997 (hereinafter Hadfield).**

Regarding claims 1, 13 and 22-25, Hadfield discloses:

computationally verifying an identity of said user (see, for example, page 80, paragraph 4; page 81, paragraphs 2 and 3; pages 168-169; pages 350-351; page 432, paragraph 5); and

computationally verifying a membership of said user with said one or more groups (see, for example, page 80, paragraph 4 and 5; page 83, paragraphs 3 and 4 pages 168-169; page 174, last paragraph),

wherein said verifying computations are performed substantially simultaneously using user information stored in a computer file associated with said user (see, for example, page 81, paragraphs 4-6, where a user's identity and its membership to any group is authenticated with a single log-on process that is functionally equivalent to the recited verifying computations are performed substantially simultaneously).

Regarding claims 2 and 14, Hadfield discloses:

further comprising the step of registering said user with at least one of said one or more groups (see, for example, page 29; page 101; page 110; page 275, last paragraph; page 281, paragraph 4, where setting up and creating a user account and user groups corresponds to the recited registering a user...with a group(s)).

Regarding claims 3 and 15, Hadfield discloses:

wherein said registering step further comprises the step of said user and said at least one of said one or more groups exchanging a respective identifier (see, for example, page 29, paragraphs 3 and 4; page 102, paragraph 2; page 110; page 432, paragraph 5, where a password that correspond to the recited identifier is used to grant membership to a user a to a group).

Regarding claim 6, Hadfield discloses:

wherein said registering step further comprises the step of creating a registration identifier (see, for example, page 29; page 101; page 110; page 275, last paragraph; page 281, paragraph 4, where during the process of creating a user account and user groups, user/group ID or password that correspond to the recited registration identifier is created and assigned to a particular user or group).

Regarding claims 9 and 19, Hadfield discloses:

wherein said verifying computations are performed in a single operation based on the El Gamal public key algorithm (see, for example, page 170, paragraphs 1-4,

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where RSA encryption algorithm is employed for authentication process which is functionally equivalent to El Gamal public key algorithm and it is a matter of implementation).

Regarding claims 10 and 20, Hadfield discloses:

wherein said user information is stored on a smart card that provides tamper-resistant features (see, for example, page 81, paragraphs 2 and 3).

Regarding claims 11 and 21, Hadfield discloses:

wherein said user information is stored in a memory of a computer (see, for example, page 33, paragraph 4; page 68, last paragraph; page 226, last 2 paragraphs; page 102, Fig. 4.1, where upon clicking Add button, the user information are saved on a disk or hard drive that represent a memory).

Regarding claim 12, Hadfield discloses:

wherein a user that satisfies said verifying computations is allowed to access a plurality of groups (see, for example, page 28, paragraph 2; page 29, paragraph 4; page 81, paragraph 4; page 110, paragraph 3; pages 112-113, where it demonstrate that an authenticated user has the same rights and permissions of the groups that the user has membership which corresponds to the recited user... allowed to access a plurality of groups).

***Allowable Subject Matter***

Claims 4, 5, 7, 8 and 16-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No. 6,035,406 A to Jakobsson

US Patent No. 6,675,261 B2 to Shandony

US Patent No. 6,708,893 B2 Erfani et al.

US Patent No. 6,889,246 B1 Kawamoto et al.

US Patent Pub. No. 2002/0031230 A1 Sweet et al.

US Patent Pub. No. 2002/0091639 A1 Mandahl et al.

US Patent Pub. No. 2003/0056093 A1 Huitema et al.

US Patent No. 6,587,946 B1 Jakobsson

US Patent No. 5,272,755 A to Miyaji et al.

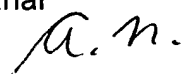
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdulhakim Nobahar whose telephone number is 571-272-3808. The examiner can normally be reached on M-T 8-6.

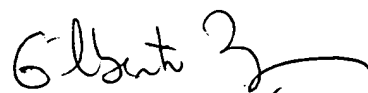
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abdulhakim Nobahar  
Examiner  
Art Unit 2132



September 29, 2005



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